

REMARKS

Claims 1-29 are pending in the present application. Claims 1-11 were allowed, claims 12, 19, 22, 25-29 were amended, no claims were canceled, and no claims were added. Support for amendments to the claims may be found at least on pages 17-19 of the specification. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

I. Examiner Interview

Applicant thanks Examiner Ingberg for the courtesies extended to Applicant's representative during the informal telephone interview on August 16, 2005. During the telephone interview, the Examiner gave Applicant guidance regarding the tangibility aspect of Applicant's claims. The Examiner indicated that the above amendments would overcome the rejection of claims 12-29 under 35 U.S.C. 101.

II. 35 U.S.C. § 101: Claims 12-29

The examiner has rejected claims 12-29 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

The examiner states on page 2 of the Office Action that:

Claims 12-18 represent an abstract idea or software per se not tangibly embodied nor in executable form.

Claims 19-21 Are software per se. The claims appear to be a software program not tangibly embodied without any means requiring hardware.

Claims 25-29 product is undefined with the closest media which is not limited to a tangible embodiment. The closest definition in the Specification describes a medium but also includes a "transmission-type media" including "communication links".

Corrective action is required.

Office Action dated June 3, 2005, page 2.

Applicant's representative spoke with the Examiner regarding the rejection of claims 12-29 under 35 U.S.C. 101 on August 16, 2005. During the informal telephone interview, the Examiner offered guidance regarding the tangibility aspect of the claims. The Examiner indicated that an amendment to independent claims 12, 19, 22, 25, and 28 to recite the feature of

a "computer readable medium" would overcome the rejection of claims 12-29. Amended independent claims 12, 19, 22, 25, and 28 now recite "a computer readable medium" executing on a computer. Thus, the presently claimed invention recited in claims 12-29 is tangibly embodied on a computer readable medium and directed to statutory subject matter. Support for the amendments to the claims may be found in the specification at least on pages 18-19. Therefore, the rejection of claims 12-29 under 35 U.S.C. 101 have been overcome.

III. 35 U.S.C. § 112, Second Paragraph

The examiner has rejected claims 25-29 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. This rejection is respectfully traversed. The Examiner believes there is insufficient antecedent basis for the limitation "computer program product" in the preamble of claims 25-29.

Claims 25-29 have been amended to recite the limitation of a "computer readable medium having computer readable instructions" in place of the formerly recited "computer program product" in the preamble of the claims. The specification provides support for the amendment to the claims at least on page 18-19. Examples of a computer readable media are provided in the specification as including "recordable-type media such a floppy disc, a hard disk drive, a RAM, and CD-ROMs." Thus, amended claims 2-29 are not indefinite or lacking sufficient antecedent basis for the claim limitation.

Therefore the rejection of claims 25-29 under 35 U.S.C. § 112, second paragraph has been overcome.

IV. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: September 1, 2005

Respectfully submitted,



Mari Stewart
Reg. No. 50,359
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants